

THE DAILY COMMONWEALTH.

VOL. 5 NO. 110.

FRANKFORT, KENTUCKY, FEBRUARY 6, 1856.

NO. 110.

THE TRI-WEEKLY COMMONWEALTH
WILL BE PUBLISHED EVERY MONDAY, WED-
NESDAY, AND FRIDAY
BY A. G. HODGES & CO.,
STATE PRINTERS,
AT THREE DOLLARS PER ANNUM, paya-
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THE WEEKLY COMMONWEALTH, a large in-
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REVISED STATUTES
OF KENTUCKY,
BY C. A. Wickliffe, S. Turner, & S. S. Nicholas,
COMMISSIONERS APPOINTED BY THE LEGISLATURE:
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PROCEEDINGS AND DEBATES
OF THE
CONVENTION
CALLED TO MODIFY, AMEND OR RE-ADOPT
THE
CONSTITUTION OF KENTUCKY,
(OFFICIAL REPORT),
Not published and for sale at the COMMONWEALTH
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The work contains 1130 pages, and is bound in the best
law Binding.

ANDREW MONROE,
MONROE & LOGAN,
ATTORNEYS AT LAW,
LOUISVILLE, KY.
OFFICE on the East side of Sixth street, between Mar-
ket and Jefferson, near the Court House yard.
April 11, 1855—4.

GEORGE STEALEY,
CIVIL & MINING ENGINEER,
AND
LAND SURVEYOR,
Office at Smith, Bradley & Co., Land Agents, 96
Randolph street, Chicago, Ill.
Sept. 14, 1855—4.

WALL & FINNELL,
ATTORNEYS AT LAW,
COVINGTON, KY.
OFFICE, THIRD STREET, OPPOSITE SOUTH END CITY HALL.
W. & F. practice in the Courts of Kentucky, Campbell,
Grant, Boone, and Nicholas, and the Court of Appeals
at Frankfort.

JOHN M. HARLAN,
ATTORNEY AT LAW,
FRANKFORT, KY.
Refer to
Hon. J. C. Crittenden,
Gov. J. C. Harlan,
Taylor, Turner & Co., Bankers Lexington, Ky.
G. H. Monsarrat & Co., Bankers, Louisville, Ky.
W. T. Tanner, Louisville, Ky.
July 23, 1853—4.

SHARP, SMITH & CO.,
ATTORNEYS AT LAW,
REAL ESTATE BROKERS.
No. 89, Randolph Street,
CHICAGO, ILL.
Aug. 25, 1854—4.

JOHN W. APPLEGATE,
Attorney and Counsellor at Law,
Public and Commissioner to take Depo-
sitions, the Acknowledgments of Deeds, Mortg-
ages, Powers of Attorney, &c. for Kentucky, Illinois, Mis-
souri, Indiana, and New York.
Office, North-East corner of Fourth and Walnut Streets,
Cincinnati, Ohio. Jan. 11, 1856.

T. N. LINDSEY,
ATTORNEY AT LAW,
Frankfort, Ky.,
WILL practice Law in all the Courts held in Frankfort
and the adjoining counties. His Office is at his resi-
dence, near P. Swiger's, entrance on Washington street.
Frankfort, Feb. 26, 1849, 751—4.

MORTON & GRISWOLD,
BOOKSELLERS, STATIONERS, BINDERS, & CO.,
J. J. PRINTER, & CO., Publishers, of the
Law, Medical, Theological, Classical, School, and
Miscellaneous Books, at low prices. Paper of every
description, quality, and price.

GEORGE W. CRADDOCK,
ATTORNEY AT LAW,
FRANKFORT, KY.
Office removed to East side of St. Clair street,
over the Telegraph Office. Will practice Law in all
the Courts held in Frankfort, and adjoining counties.
Dec. 7, 1850—4.

JOHN RODMAN,
ATTORNEY AT LAW,
Office on St. Clair Street, next Door to Morse's
Teephore Office.
WILL practice in all the Courts held in Frankfort, and
in Oldham, Henry, Trimble and Owen counties.
Oct. 28, 1853.

MOREHEAD & BROWN,
Partners in the
PRACTICE OF LAW,
WE have this day-opened an Office in the city of Lex-
ington, for the purpose of transacting
A General Banking, Exchange, and Col-
lecting Business.

JOHN A. MONROE,
ATTORNEY AT LAW,
FRANKFORT, KY.
WILL practice Law in the Courts held in Frankfort
and adjoining counties. He will, as Commissioner
of Deeds, take acknowledgments of Deeds, and
other papers to be used or recorded in other States;
and, as Commissioner, under the Seal of Congress, attend
to the taking of depositions, affidavits, &c.
Office, Federal Court's Office, Old Bank,
Frankfort, June 6, 1853—4.

JOHN C. HERNDON,
ATTORNEY AT LAW,
Frankfort, Ky.,
WILL practice in all the Courts held in Frank-
fort Courts—and will attend to the collection of debts in
the State. Office on St. Clair street, second door above the Court
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C. PROAL,
PREMIUM
Saddle, Harness and Trunk Warehouse,
Number Sixty-One, Third Street,
LOUISVILLE, KY.
C. G. GRAHAM, Agent,
April 9—6.

JOHN L. MOORE & SON,
A. H. now receiving at their New Store Rooms, Main
street, an unusually large stock of new style
STAPLE & FANCY GOODS
in every variety. Also
Cartepets, Boots, Shoes, Hats, Caps,
Bonnets, Queenware, Glassware,
Gris, &c., &c.,
All at the lowest rates.

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THE COMMONWEALTH.

KENTUCKY LEGISLATURE.

IN SENATE.

TUESDAY, Feb. 5, 1856.

Prayer by the Rev. Mr. LANCASTER, of the Catholic Church.

PETITIONS

Were presented and referred, as follows:

Mr. BARLOW—a petition from citizens of Barren and Adair counties praying for the formation of a new county; committee on Propositions and Grievances.

Also—a remonstrance against the same; same committee.

Mr. BUCKNER—a petition from citizens of Christian county praying for a repeal of the law restricting the county levy of said county to 25 cents; committee on Propositions and Grievances.

Also—a petition of A. L. Jones and other citizens of the 4th and 5th districts of Christian county, praying for the formation of a new district; committee on Propositions and Grievances.

Mr. CONKLIN—a petition of sundry citizens of Grayson county for the change of a voting precinct; committee on Privileges and Elections.

RECONSIDERATION.

Mr. McFARLAND moved to reconsider the vote by which the bill requiring lands to be listed for taxation in the counties in which they lie: motion carried.

GEOLGICAL SURVEY.

Mr. McFARLAND, from the committee on Agriculture and Manufactures, presented a synopsis of the Report of the State Geologist; and one thousand copies thereof were ordered to be printed.

UNFINISHED ORDER.

The Senate resumed the consideration of the unfinished order, passed over informally several days ago, being the bill to amend the charter of the Louisville and Frankfort Railroad Company.

The question was upon the amendment proposed by Mr. BULLOCK to add to the clause which provides that the company shall be responsible for stock killed by carelessness, but not for those killed by unavoidable accident, a proviso so that the killing of stock shall be *prima facie* evidence of negligence on the part of the company.

A discussion ensued, in which Mr. HAGGIN opposed the amendment, and Messrs. HARDIN and BULLOCK advocated it.

The amendment was then rejected, and the bill passed.

REPORT FROM A SPECIAL COMMITTEE.

Mr. SILVERTOOTHTH, from the joint special committee upon the petition of the citizens of Madrid Bend, praying for a cession of that part of Fulton county to the State of Tennessee, made a report.

That bill makes thirteen Districts, as follows:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Lyon, Crittenden and Union.

Second District—Henderson, Hopkins, Caldwell, Trigg, Christian, Todd and Muhlenberg.

Third District—McLean, Davis, Hancock, Ohio, Grayson, Breckinridge, Meade, Hardin and Larue.

Fourth District—Logan, Butler, Warren, Simpson, Allen, Edmonson, Barren, Monroe and Hart.

Fifth District—Green, Taylor, Marion, Washington, Nelson, Mercer and Anderson.

Sixth District—Garrard, Boyle, Lincoln, Casey, Putnam, Wayne, Clinton, Russell, Cumberland and Adair.

Seventh District—Jefferson, Oldham, Shelby, Spencer and Bullitt.

Eighth District—Franklin, Owen, Henry, Trimble, Carroll, Gallatin, Grant and Boone.

Ninth District—Kenton, Campbell, Pendleton, Harrison and Bracken.

Tenth District—Mason, Nicholas, Fleming, Rowan, Letcher and Greenup.

Eleventh District—Montgomery, Powell, Bath, Morgan, Carter, Lawrence, Johnson, Floyd and Pike.

Twelfth District—Estill, Owsley, Breathitt, Perry, Letcher, Harlan, Clay, Knox, Whitley, Laurel, Fayette, Woodford, Scott and Bourbon.

For which bill Mr. WEIS offered a substitute making Districts as follows:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Lyon, Crittenden and Union.

Second District—Trigg, Lyon, Christian, Caldwell, Hopkins, Union and Henderson.

Third District—Muhlenberg, Davies, Hancock, Breckinridge, Meade, Hardin, Ohio, McLean and Gravon.

Fourth District—Todd, Logan, Butler, Hart, Edmonson, Warren, Simpson, Allen, Monroe and Barren.

Fifth District—Cumberland, Clinton, Wayne, Palaski, Casey, Lincoln, Green, Larue, Adair, Russell and Whitley.

Sixth District—Bullitt, Jefferson, Spencer, Shelby and Oldham.

Seventh District—Nelson, Marion, Washington, Mercer, Boyle, Anderson and Taylor.

Eighth District—Henry, Trimble, Carroll, Gallatin, Boone, Kenton and Grant.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas and Lewis.

Tenth District—Bath, Fleming, Greenup, Carter, Lawrence, Montgomery, Morgan, Powell, and Rowan.

Eleventh District—Fayette, Clarke, Estill, Madison, Garrard, Jessamine and Rockcastle.

Twelfth District—Knox, Harlan, Laurel, Clay, Perry, Owsley, Letcher, Breathitt, Floyd, Pike and Johnson.

Thirteenth District—Owen, Franklin, Woodford, Scott, Bourbon and Harrison.

And to which substitute Mr. BLAIN had proposed an amendment, making Districts as follows:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston and Crittenden.

Second District—Trigg, Lyon, Christian, Caldwell, Hopkins, Union and Muhlenburg.

Third District—Henderson, Davies, Hancock, Breckinridge, Meade, Hardin, Ohio, McLean and Grayson.

Fourth District—Todd, Logan, Butler, Hart, Edmonson, Warren, Simpson, Allen, Monroe and Barren.

Fifth District—Cumberland, Clinton, Wayne, Palaski, Casey, Lincoln, Green, Larue, Adair, Russell and Whitley.

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Thirteenth District—Owen, Franklin, Woodford, Scott, Bourbon and Harrison.

The Journal of yesterday was read.

MESSAGE FROM THE SENATE.

Mr. WEIS said that upon examination of the amendment proposed by Mr. BLAIN, he was willing to let it stand in its place of its own.

Mr. BLAIN explained that his amendment was offered as a matter of courtesy to others; that he himself was well satisfied with the original bill as reported from the committee.

Mr. WEIS opposed the bill and advocated the amendment.

The amendment proposed by Mr. BLAIN was then rejected.

The question being upon the adoption of the substitute proposed by Mr. WEIS,

Mr. GAITHER—Privileges and Elections—a bill to change the place of voting in District No. 5, Union county; passed.

Same—a bill to change the place of voting in District No. 6, in Clay county; passed.

Same—a bill for the benefit of James M. Bumpass, of Caldwell county; passed.

Same—a bill to change the place of voting in District No. 4, in Christian county; passed.

Same—a bill to incorporate the town of Hazelgreen, in Morgan county; referred to the committee on the Judiciary.

Same—a bill creating an additional number of voting places in the city of Louisville; ordered to be printed, and placed in the orders of the day.

Mr. LONG—same committee—a bill to amend the law in relation to elections; passed.

Mr. HICKS—from same committee—a bill to change the place of voting from Buleyville to Big Spring, in Breckinridge county; laid on the table.

Mr. WINN—committee on Claims—a bill for the Senate of the benefit of the Judge of the Ohio County Court; passed.

Mr. CONKLIN, Howell, Gillis, Wadsworth, and Sudduth opposed the substitute and defended the original bill, and Mr. WEIS and MATTHEWSON advocated the substitute and opposed the bill.

The vote being then taken upon the substitute proposed by Mr. WEIS, it was rejected, as follows:

YEAS—Messrs. Hay, Headley, Hogan, King, Kohlhas, Mathewson, McFarland, Silvertooth, and Weis—7.

NAYS—Messrs. Barlow, Blain, Buckner, Bullock, Burton, Cavan, Collins, Conklin, DeCourcy, Edwards, Gillis, Haggis, Hardin, Harris, Howell, Ripley, Smith, Sudduth, Wadsworth, Walton, Williams, Woodson, and Wright—24.

[During the discussion the hour for the orders of the day arrived, when they were postponed for the purpose of disposing of this subject.]

Mr. BUCKNER then proposed to amend the bill by striking out all after the enacting clause, and inserting the provisions of the bill establishing a Chancery and Criminal Court in each of the districts, (the same proposed by him, as above, and withdrawn.)

Mr. BUCKNER advocated his amendment at some length.

Mr. D. HOWARD SMITH moved to amend the amendment by striking out the fifth section of it which fixes the times of holding the proposed courts.

Mr. BUCKNER accepted the amendment.

Mr. HARDIN opposed Mr. BUCKNER's amendment.

Mr. DEOURCY was sorry that the proposition of the Senator from Christian (Mr. BUCKNER) had been offered as an amendment to this bill.

Same—a bill for the benefit of C. Hays, Buster and Z. Rosenfeld; rejected—yes, 6; nays, 79.

RESOLUTION.

Mr. NUTTALL offered the following resolution:

Resolved, That the committee on Ways and Means be and they are hereby instructed to report a bill on Saturday next, increasing the pay of members of the General Assembly from \$3 to \$5.

The question being taken on the passage of such a measure as proposed by Mr. BUCKNER was hopeless, and he could not consent to give up the relief proposed by the bill.

The previous question was then ordered and the amendment proposed by Mr. BUCKNER was rejected, as follows:

YEAS—Messrs. Buckner, Edwards, Mathewson, Silvertooth and Sudduth—5.

NAYS—Messrs. Barlow, Blain, Bullock, Burton, Cavan, Collins, Conklin, DeCourcy, Edwards, Gillis, Haggis, Hardin, Harris, Hogan, Howell, King, Kohlhas, McFarland, Ripley, Smith, Wadsworth, Walton, Weis, Williams, Woodson, and Wright—28.

The bill was then ordered to a third reading, and the further reading being dispensed with the bill was passed.

Mr. BUCKNER urged that the passage of such a measure as proposed by Mr. BUCKNER was hopeless, and he could not consent to give up the relief proposed by the bill.

Mr. BUCKNER again advocated his amendment at some length.

Mr. WADSWORTH urged that the passage of such a measure as proposed by Mr. BUCKNER was hopeless, and he could not consent to give up the relief proposed by the bill.

Mr. BUCKNER accepted the amendment at some length.

Mr. McELROY offered the following resolution:

Resolved, That the committee on Agriculture and Manufactures be instructed to report a bill providing for a further prosecution of the Geological survey of the State of Kentucky.

MOTION.

Mr. BEAUCHAMP moved that 1500 copies of the synopsis of the Report of the State Geologist be printed for the use of the members of this House; which was adopted.

ORDERS OF THE DAY.

The House again resolved itself into a committee of the Whole—Mr. BRADFORD in the chair—upon the resolutions offered by Mr. JAMES, together with the substitute for the same, offered by the committee on Federal Relations.

Mr. SMEDLEY addressed the committee at some length, in favor of the original resolutions.

On motion of Mr. VANWINKLE, the committee arose, reported progress, and had leave to sit again.

And then the House adjourned.

Mr. BRADFORD presented the petition of sundry citizens of Bracken county, praying for the passage of a law preserving the Bracken Academy fund referred to the committee on Education.

Mr. THORNTON presented the petition of sundry citizens of Ohio and Butler counties, praying that the school commissioners may be qualified before a magistrate; also to repeal the poll tax on negroes: referred to the committee on Education.

Mr. GAITHER—Privileges and Elections—a bill to change the place of voting in District No. 5, Union county; passed.

Same—a bill for the benefit of James M. Bumpass, of Caldwell county; passed.

Same—a bill to change the place of voting in District No. 4, in Christian county; passed.

Same—a bill to incorporate the town of Hazelgreen, in Morgan county; referred to the committee on the Judiciary.

Same—a bill creating an additional number of voting places in the city of Louisville; ordered to be printed, and placed in the orders of the day.

Mr. LONG—same committee—a bill to amend the law in relation to elections; passed.

Mr. HICKS—from same committee—a bill to change the place of voting from Buleyville to Big Spring, in Breckinridge county; laid on the table.

Mr. WINN—committee on Claims—a bill for the Senate of the benefit of the Judge of the Ohio County Court; passed.

Mr. CONKLIN, Howell, Gillis, Wadsworth, and Sudduth opposed the substitute and defended the original bill, and Mr. WEIS and MATTHEWSON advocated the substitute and opposed the bill.

The vote being then taken upon the substitute proposed by Mr. WEIS, it was rejected, as follows:

YEAS—Messrs. Hay, Headley, Hogan, King, Kohlhas, Mathewson, McFarland, Silvertooth, and Weis—7.

NAYS—Messrs. Barlow, Blain, Buckner, Bullock, Burton, Cavan, Collins, Conklin, DeCourcy, Edwards, Gillis, Haggis, Hardin, Harris, Hogan, Howell, King, Kohlhas, McFarland, Ripley, Smith, Wadsworth, Walton, Weis, Williams, Woodson, and Wright—28.

[During the discussion the hour for the orders of the day arrived, when they were postponed for the purpose of disposing of this subject.]

Mr. BUCKNER then proposed to amend the bill by striking out all after the enacting clause, and inserting the provisions of the bill establishing a Chancery and Criminal Court in each of the districts, (the same proposed by him, as above, and withdrawn.)

Mr. BUCKNER advocated his amendment at some length.

Mr. WADSWORTH urged that the passage of such a measure as proposed by Mr. BUCKNER was hopeless, and he could not consent to give up the relief proposed by the bill

COMMONWEALTH.

FRANKFORT.

W. L. CALLENDER, Editor.

WEDNESDAY, FEB. 6, 1856.

Single copies of the Daily Commonwealth, put up in wrappers, will be furnished to the members of the General Assembly at Two Cents per copy.

Single copies of the Weekly Commonwealth, containing a synopsis of each week's proceedings, will be furnished to the members of the General Assembly at Four Cents per copy.

American Order.

FRANKLIN COUNCIL, NO. 65, Jan. 2, 1856.

The regular meetings of this Council are held in the upper room of the Court House on Wednesday night of each week at 7 o'clock. Members of the Legislature and other gentlemen visiting Frankfort, who are members of the American order, are cordially invited to attend the meetings.

By order of the Council,

G. W. LEWIS, Secretary.

KENTUCKY STATE MEDICAL SOCIETY.—The fifth annual meeting of this Society will be held in this city, to-day (Wednesday), in the Baptist Church, commencing at 12 o'clock M. The President (Dr. SPILLMAN, of Harrodsburg) will deliver the annual address to-night in the same house, at 7 o'clock. The public are invited to attend.

CONGRESSIONAL.—On Monday the members of the House were sworn in by the new Speaker, (Banks,) after which Mr. Cullom, of Tennessee, was declared Clerk by a vote of 126 yeas to 87 nays. In swearing in members, the oath was administered to Gen. Whitfield as delegate from Kansas. It will be recollect that he was the pro-slavery candidate. Mr. Gove, of Penn., and Mr. Campbell, of Ohio, gave notice that Gen. W.'s seat would be contested by ex-Gov. Reed, Free-soil, but that they would waive any objection to the administration of the oath to Gen. Whitfield. The members then drew their seats for the Congress by lottery. The usual messages were sent to the Senate announcing the organization of the House, and to the President announcing the readiness of Congress to proceed to business and receive any communication he might have to send to it.

In the Senate there was a discussion upon the proceedings of the naval board, but no definite action.

When the House adjourned a resolution was pending which declared Mr. Glosebener, the present incumbent, Sergeant-at-arms.

We publish this morning the special message of the President upon Kansas affairs. We have no room for extended comment upon it to-day, but we cannot forbear to invite attention to the exposition given in the first part of the document, of what the President considers the principle of the Kansas-Nebraska act. He understands that principle to be "Squatter Sovereignty"—the right of the first settlers in a Territory, while it remains in a territorial condition, and at any distance of time before it comes to form a State constitution, to exclude the institutions and slave property of the South from the common soil of the whole Union.

When we consider this doctrine in connection with the other doctrine held by the whole Northern Democracy, viz: that slavery cannot exist without the support of positive law, and that no slave can be legally held in a Territory until laws to sustain slavery shall have been first enacted by the Territorial Legislature—we can easily understand the basis of the declaration of the President, made in the presence of ex-Senator Clemens while the Kansas-Nebraska bill was pending in Congress, that he was surprised that the North did not as a body advocate the bill and the South oppose it; and we can also understand the basis of the defense of the bill which the Northern Democracy made before their constituents at home, that it was "the best free-soil measure ever adopted in Congress." This Presidential exposition of the principle of the Kansas-Nebraska law comes very apposite just now, when Kentucky is asked to thank the President and the Northern Democracy for its enactment.

MR. CULLOM, who has been made Clerk of the House, was a Whig member of the last Congress, and an American candidate for election to the present Congress, but was defeated by a few votes. He voted against the Nebraska bill; but as he is, as we understand, decidedly opposed to the restoration of the Missouri Compromise restriction or to any further agitation of the subject of slavery in any way, we must say that the Republicans in voting for him, as the greater body of them did, showed more liberality than we expected from them towards any Southern man.

We see that of the National Americans present, Eustis, of La., Humphrey Marshall and A. K. Marshall, of Kentucky, and Walker, of Ala., voted against him; the others for him.

DR. BANNING ARRIVED.—Dr. E. P. Banning, of N. Y., a gentleman whom we have known personally for fifteen years, and who has devoted some twenty years past to the study of spinal curvatures, female weaknesses, dyspepsia, and many cognate diseases, and the relief, cure and prevention of them by mechanical appliances, has arrived in Frankfort, and may be found at the Capital Hotel. We commend him to our citizens as a physician who, having for many years devoted an active and ingenious mind to this subject, probably knows all that one man can know concerning it, and who has carried the application of mechanical power to the cure and prevention of disease, and the development of health and beauty, to a far greater perfection than any other person of whom we have any knowledge. Some eight or nine beautiful and ingenious inventions of Dr. B. for the relief and prevention of the diseases to which we have referred, may be seen at his rooms, where, we feel sure, he will take pleasure in explaining their application to either his professional brethren or others who may call.

In nearly all other cities which Dr. B. has visited, he has upon the invitation of the prominent citizens, delivered a course of popular lectures upon the influence and application of physics in the development of health, graceful carriage and beauty, and in the prevention and cure of bodily deformity and chronic diseases; and we trust that he will not be allowed to depart without an invitation to repeat his lectures here.

AFFAIRS IN KANSAS.

MESSAGE OF THE PRESIDENT.

WASHINGTON, Jan. 24, 1856.

To the Senate and House of Representatives:

Circumstances have occurred to disturb the course of governmental organization in the Territory of Kansas, and produce thereto a condition of things which renders it incumbent on me to call your attention to the subject, and urgently recommend the adoption by you of such measures of legislation as the grave exigencies of the case appear to require.

A brief exposition of the circumstances referred to, and of their causes, will be necessary to the full understanding of the recommendations which it is proposed to submit.

The act to organize the Territories of Nebraska and Kansas, was a manifestation of the legislative opinion of Congress on two great points of constitutional construction: One, that the designation of the boundaries of a new Territory, and provision for its political organization and administration as a Territory, are measures which fall within the powers of the General Government; and the other, that the inhabitants of such Territory, considered as an inchoate State, are entitled, in the exercise of self-government, to determine for themselves what shall be their own domestic institutions, subject only to the constitution and the laws duly enacted by Congress under it, and to the power of the existing States to decide, according to the provisions and principles of the constitution, at what time the Territory shall be received as a State into the Union. Such are the great political rights which are solemnly declared and affirmed by that act.

Based upon this theory, the act of Congress defined for each Territory the outlines of republican government, distributing public authority among lawfully-created agents—executive, judicial, and legislative—to be appointed either by the General Government or by the Territory. The legislative functions were entrusted to a Council and House of Representatives, duly elected and empowered to enact all the local laws which they might deem essential to their prosperity, happiness, and good government. Acting in the same spirit, Congress also defined the persons who were in the first instance to be considered as the people of each Territory; enacting that every free white male inhabitant of the same above the age of twenty-one years, being an actual resident thereof, and possessing the qualifications hereinafter described, should be entitled to vote at the first election, and be eligible to any office within the Territory; but that the qualifications of voters and holding office at all subsequent elections should be such as might be prescribed by the Legislative Assembly. Provided, however, that the right of suffrage and of holding office should be exercised only by citizens of the United States, and those who should have declared on oath their intention to become such, and have taken an oath to support the Constitution of the United States and the provisions of the act: And provided, further, that no officer, soldier, seaman, or marine, or other person in the army, or navy of the United States, or attached to troops in their service, should be allowed to vote or hold office in either Territory by reason of being on service therein.

Such of the public officers of the Territories as, by the provisions of the act, were to be appointed by the General Government, including the Governors, were appointed and commissioned in due season—the law having been enacted on the 30th of May, 1854, and the commission of the Governor of the Territory of Nebraska being dated on the 2d day of August, 1854, and of the Territory of Kansas on the 29th day of June, 1854.

Among the duties imposed by the act on the Governors was that of directing and superintending the political organization of the respective Territories. The Governor of Kansas was required to cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons and in such mode as he might designate and appoint; to appoint and direct the time and places of holding the first elections, and the manner of conducting them, both as to the persons to superintend such elections and the returns thereof; to declare the number of the members of the Council and House of Representatives for each county or district; to decide what persons might appear to be duly elected; and to appoint the time and place of the first meeting of the Legislative Assembly. In substance the same duties were devolved on the Governor of Nebraska.

It will be perceived that if any constitutional defect attached to the legislative act of the Assembly, it is not pretended to consist in irregularity of election or want of qualification of the members, but only in the change of its place of session. However trivial the objection may seem to be, it requires to be considered, because upon it is founded all that superstructure of acts, plainly against law, which now threatens the peace not only of the Territory of Kansas but of the Union.

When we consider this doctrine in connection with the other doctrine held by the whole Northern Democracy, viz: that slavery cannot exist without the support of positive law, and that no slave can be legally held in a Territory until laws to sustain slavery shall have been first enacted by the Territorial Legislature—we can easily understand the basis of the declaration of the President, made in the presence of ex-Senator Clemens while the Kansas-Nebraska bill was pending in Congress, that he was surprised that the North did not as a body advocate the bill and the South oppose it; and we can also understand the basis of the defense of the bill which the Northern Democracy made before their constituents at home, that it was "the best free-soil measure ever adopted in Congress." This Presidential exposition of the principle of the Kansas-Nebraska law comes very apposite just now, when Kentucky is asked to thank the President and the Northern Democracy for its enactment.

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rooted in the convictions of the people of the Union, then had recourse, in the pursuit of their general object, to the extraordinary measure of propagandist colonization of the Territory of Kansas, to prevent the free and natural action of its inhabitants in its internal organization, and thus to anticipate or to force the determination of that question in this inchoate State.

With such views, associations were organized in some of the States, and their purpose was proclaimed through the press in language extremely irritating and offensive to those of whom the colonists were to become the neighbors. Those designs and acts had the necessary consequence to awaken emotions of intense indignation in States near the Territory of Kansas, and especially in the adjoining State of Missouri, whose domestic peace was thus the most directly endangered; but they are far from justifying the illegal and reprehensible counter movements which ensued.

Under these inauspicious circumstances the primary elections for members of the Legislative Assembly were held in most if not all of the precincts at the time and the places and by the persons designated and appointed by the Governor, according to law.

Angry accusations that illegal votes had been polled abounded on all sides, and imputations were made both of fraud and violence. But the Governor, in the exercise of the power and the discharge of the duty conferred and imposed by Congress under it, officially received and considered the returns; declared a large majority of the members of the Council and House of Representatives "duly elected," withheld certificates from others because of alleged illegality of votes; appointed a new election to supply the place of the persons not certified; and thus at length, in all the forms of statute, and with his own official authentication, completed legality was given to the first Legislative Assembly of the Territory.

Those decisions of the returning officers and of the Governor are final, except that, by the parliamentary usage of the country applied to the organic law, it may be conceded that each House of the Assembly must have been competent to determine, in the last resort, the qualifications and the election of its members. The subject was, by its nature, one appertaining exclusively to the jurisdiction of the local authorities of the Territory. Whatever irregularities may have occurred in the elections, it seems too late now to raise that question as to which, neither now nor at any previous time, has the least possible legal authority been possessed by the President of the United States. For all present purposes the Legislative body, thus constituted and elected, was the legitimate assembly of the Territory.

Accordingly, the Governor, by proclamation, convened the Assembly thus elected to meet at a place called Pawnee City. The two Houses met and were duly organized in the ordinary parliamentary form; each sent to and received from the Governor the official communications usual on such occasions; an elaborate message opening the session was communicated by the Governor; and the general business of legislation was entered upon by the Legislative Assembly.

But, after a few days, the Assembly resolved to adjourn to another place in the Territory. A law was accordingly passed, against the consent of the Governor, but in due form otherwise, to remove the seat of government temporarily to the "Shawnee Manual-labor School" (or mission), and thither the Assembly proceeded. After this, receiving a bill for the establishment of a ferry at the town of Kickapoo, the Governor refused to sign it, and, by special message, assigned for reason of refusal, not anything objectionable in the bill itself, nor any pretence of the illegality or incompetency of the Assembly as such, but only the fact that the Assembly had by its act transferred the seat of government temporarily to the town of Pawnee City. To the same reason he continued to refuse to sign other bills, until, in the course of a few days, he, by official message, communicated to the Assembly the fact that he had received notification of the termination of his functions as Governor, and that the duties of the office were legally devolved on the Secretary of the Territory; thus, to the last recognizing the body as a duly elected and constituted Legislative Assembly.

It will be perceived that if any constitutional defect attached to the legislative act of the Assembly, it is not pretended to consist in irregularity of election or want of qualification of the members, but only in the change of its place of session.

However trivial the objection may seem to be, it requires to be considered, because upon it is founded all that superstructure of acts, plainly against law, which now threatens the peace not only of the Territory of Kansas but of the Union.

Such an objection to the proceedings of the legislative assembly was of exceptional origin, for the reason that, by the express terms of the organic law, the seat of government of the Territory of Kansas was "located temporarily at Fort Leavenworth;" and yet the Governor himself remained there less than two months, and of his own discretion transferred the seat of government to the Shawnee Mission, where it was in fact at the time of the Assembly called to meet at Pawnee City. If the Governor had any such right to change temporarily the seat of government, still more had the legislative assembly.

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KENTUCKY CORN AND COB MILL.

It is well known that there is great economy in crushing & grinding the kernels of all grain before feeding it to stock, and that there is much nutrient in the cob when properly broken or ground. And the only reason that mills arranged to produce these desired results have been more generally introduced among planters and farmers, has been their complex arrangement and high cost.

In the Kentucky Corn and Cob Mill, of which the above is an accurate engraving, we claim to have produced a machine as simple and compact as any, which the cost of construction is so simple that the most ordinary hand can adjust and operate it. This machine, unlike any other, is regulated by means of a single set screw, which is easily moved by hand, and is applied directly under the center of the mill.

The Chain Pump.

This description of Pump is generally well known;

they perform satisfactorily in shallow wells or streams, and can now, and will in future be able to offer indications to all who are disposed to purchase—provided for the information of our customers.

It would be an endless undertaking to furnish a complete catalogue of the articles we offer for sale, in addition to Furniture; but, feeling a desire to benefit the public, we venture to call attention to a few, as follows:

DISCLOSURE!

WE are often asked why we sell FURNITURE so much cheaper than other dealers in the article. For the benefit of all we will explain. It is the impression at home and abroad that

DOXON & GRAHAM

keep everything, and persons wishing to outfit for house-keeping, a bed, or a room, or more rooms almost every article necessary for house-keeping, from a Rolling pin up to a sugar cured Ham, Table ware, Spices, &c., &c.

Then they want FURNITURE. "Not calculating from the proceeds of profits," but from the fact that a complete outfit can be purchased for house-keeping, to say nothing of a number of articles, from much trouble and many small bills, we have, for the accommodation of our customers, recently enlarged our furniture rooms, and can now, and will in future be able to offer indications to all who are disposed to purchase—provided for the information of our customers.

It would be an endless undertaking to furnish a complete catalogue of the articles we offer for sale, in addition to Furniture; but, feeling a desire to benefit the public, we venture to call attention to a few, as follows:

THE CHAIN PUMP.

This description of Pump is generally well known;

they perform satisfactorily in shallow wells or streams,

and can now, and will in future be able to offer indications to all who are disposed to purchase—provided for the information of our customers.

ATMOSPHERIC AND SUCTION PUMP.

This description of Pump is generally well known;

they perform satisfactorily in shallow wells or streams,

and can now, and will in future be able to offer indications to all who are disposed to purchase—provided for the information of our customers.

THE SUCTION AND FORCE PUMP.

This description of Pump is generally well known;

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UPPER TEN.

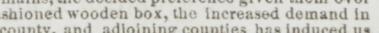
A new and fashionable perfume that cannot fail to please.

Essoe Bouquet, Oriental Drops, Prairie Flowers, Bouquet de California, Bouquet de Arabie, Violet, Magnolia, Rose, Gardenia, Ashland Flowers, and a very large number of others.

EARTHEN TUBES.

A new invention for sewers and drains, costing only six cents per foot—easily put down and very durable; certainly the best and cheapest drain ever invented.

A LARGE SUPPLY OF



MORTIMORE'S RHEUMATIC COMPOUND.

THIS truly celebrated preparation, efficacious alike

for each and every description of Rheumatic Complaints, is already too well known and esteemed throughout the United States, to require any lengthy notice. It is a safe, simple, and efficacious remedy for incurable and distressing disease from the system, and stands unrivaled in the pharmacy of medicine.

We do not propose to make unqualified statements or to force a nostrum before the public, but simply to request those most interested

SUFFERERS THEMSELVES.

to propound their own voices, a circular, and not only read the testimony of those who have experienced its invaluable curative powers, but to write to, or call upon, the conveleants, so that the statements may emanate from the Fountain Head—a course which will satisfy most persons, and by which the name of the Inventor, & author of being, will be known to all.

Write also to the proprietors, who will accord every information, and furnish names of undoubted character from every section of the Union, numbering among them some of the most eminent Physicians, Clergymen, Editors, and prominent citizens, rendering the reliability and efficacy of the remedy beyond the reach of doubt or misgivings.

MORTIMORE'S

RHEUMATIC COMPOUND.

It is a Vegetable Extract, an Internal Remedy, prepared expressly for this our nostrum; and this will cure in every form, either Indolentary (Acute) or Chronic, no matter of how long standing.

SOLD BY

J. M. MILLS,

Frankfort, Ky.

THE ABOVE HAS FOR SALE

THE GREAT ALTERATIVE,

MORTIMORE'S

BITTER CORDIAL

AND

BLOOD PURIFIER.

This invaluable Remedy—our description of

Nervous Affectress, and for disease of the Liver and Kidneys—has obtained a popularity wherever introduced, unprecedent in the history of any other medical preparation ever brought before the public.

Medical Practitioners have throughout tested its merits, and now accord every information, and furnish names of undoubted character from every section of the Union, numbering among them some of the most eminent Physicians, Clergymen, Editors, and prominent citizens, rendering the reliability and efficacy of the remedy beyond the reach of doubt or misgivings.

Cordage.

Hemp, Manila and Cotton Rope, Carpet Warp, and the best article of Cotton Yarns, of all sizes and numbers.

TAR.

By the barrel.

MATTRESSES.

Double, Single, Lounge, Trundle, and Crib sizes. Hair, Cotton and Shuck.

AXES.

Hunt's Douglass Axes, the best article now in use; Hand Saws, Hatchets and Hammers.

NAILS.

Cut, Wrought and Horse Shoe Nails, of the best brands.

WINDOW GLASS

Of all sizes, and Putty in large and small quantities, always on hand.

WILLOW WARE.

Market, School, Key, Bell, Pear, and Traveling Bassets; round, Oval and Square Cases Boxes.

PAINTS.

White Lead, Linseed Oil, White, Copal and Japan Varnish; Litharge, and Ochre; water and fire proof Paints, ground in oil, an excellent paint for porch floors, steps, &c.

GLOSS WARE.

Tumblers of various patterns and prices, Glass Bowls, Fish Globes and Flower Vases, Bird Founts, &c.

TIN WARE.

Ornamental Chamber Sets; plain and Japanned Tin Ware of every description; and in addition we have a large supply of

PATENT COFFEE POTS.

Owning the right to manufacture, and sell these instant coffee Pots, we take pleasure in recommending them to every family, with a warrant to give satisfaction or no charge.

WE CANNOT IN DETAIL GIVE FURTHER PARTICULARS.

We have always ready for sale, Salt Fish, Bird Cages, Oy Yokes, Ladies' Mending, Cotton, Wheel Barrows, Hoses, Cane, Cloth, Paper, Mats, Stone and Preserve Stoves, Ray Carpeting, Cedar and Pine Ware, Colognes, Violins, Buggy, Riding and Stock Whips, Cow and Sheep Bells, Razors, Pocket Cutlery, and Victorian Poms, Sweet Oils, Clothes Pins, Minnow Snells, and Partridge Nets.

PRICE.

Please call, examine, and buy from

DOXON & GRAHAM,

No. 6 St. Clair St., Frankfort, Ky.

Oct. 22, 1855.

H. ELLIS,

No. 167, Broadway, New York.

OPINIONS OF THE PRESS.

HUBBELL'S MAGIC IMPRESSION PAPER, refers for reader to the advertisement in another column, setting forth the merits of this pleasing and ingenious invention.

The cheapness should induce all to give it a trial.—*Philadelphia Merchant.*

It is unsurpassed for neatness and utility, and should meet with the sale it richly deserves.—*Advertiser and Courier.*

and Courier, Oct. 22, 1855.—3m.

FRESH BALTIMORE OYSTERS.

We have this day commenced receiving Fresh Baltimore Oysters, and will continue to receive them daily during the Oyster season by Express, and sold exclusively by Cash.

GRAY & TODD.

YOURS! OYSTERS!!

FRESH BALTIMORE OYSTERS.

WE are now receiving daily at my Restaurant on Main Street, Fresh Baltimore Can Oysters, which I will sell by the can or dozen as cheap as any agency in the city.

Oct. 5, 1855.—*H. ELLIS.*

DISSOLUTION.

The partnership of EVANS & SWIGERT was dissolved on the 15th inst., by mutual consent. H. Evans will settle up the business of the late firm.

Nov. 22, 1855.

H. EVANS,

DAN. SWIGERT.

BUCK WHEAT FLOUR.

JUST received per S. B. Blue Wing, a fresh supply of Pennsylvania Buck Wheat Flour, and for sale by

GRAY & TODD.

Java and Rio Coffee.

20 bags (60 pounds) Old Government Java Coffee; 20 bags prime Rio Coffee. Just received.

Aug. 22, 1855.

W. H. KEENE.

BRANDIES AND WINES.

100 PCKGS. superior Pale and Dark Brandy, Madeira and Sherry Wine, just received direct from Boston.

Aug. 22, 1855.

W. H. KEENE.

NOTICE.

No person will be admitted within the Cemetery Grounds on the Sabbath unless by written permission of some of the officers of the Company. The law will be enforced against all trespassers. Visitors are not permitted to disturb the Shrubbery, Fruit, or Flowers.

August 29—*H. ELLIS.*

VARIETY.

GUTTA PERCHA PENS.

A novel article of various styles, for sale at

Dr. MILL'S Drug Store.

WRITING PAPER.

Plain and Fancy, Note Letter, and Cap paper at

Dr. MILL'S Drug Store.

ENVELOPES.

Of all kinds, plain, fancy, and colored at

Dr. MILL'S Drug Store.

INK.

Writing ink of all colors, black, blue, and red, at

Dr. MILL'S Drug Store.

100,000 COPIES SOLD!

LLOYD'S GREAT STEAMBOAT WORK will be ready

on or about the twenty-fourth of October

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First Application of Steam.

Life of John Fitch—Engraving of his first Boat.

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John F. Wilson—Engraving of his first Ohio River Boat.

Correct Likeness—Full Particulars.

Latrobe's First Boat.

First Steamboat.

Maps of the Western Waters: Towns, Cities and Distances laid down correctly.

List of Steamboat Explosions since 1812; Names of Killers, Wreckers, and Scuttlers.

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List of Steamboats on the Western Waters.

True New Steamboat Law—With Comments—Life Boats.

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The Law of Navigation in 1810, 1832, 1847.

List of Plantations on Mississippi River.

Principles of Navigation.

Principles of Navigation.

Principles of Navigation.